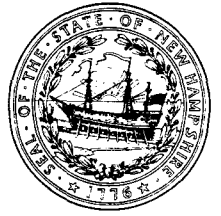




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 20, 2004

LETTER OF DEFICIENCY #WSEB 04-156
CERTIFIED MAIL 7000 0600 0023 9932 8256

Lorraine Porter
Barnyard Buddies
83 Chester Road
Fremont, NH 03044

Subject: Fremont - Public Water System: Barnyard Buddies (EPA #0875040)

Dear Ms. Porter:

The records of the Department of Environmental Services (DES) show that the Barnyard Buddies water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that Standard Maximum Contaminant Level (MCL) violation for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01 had occurred and that a Notice of Violation (NOV) was issued for the month of **June 2004** (copy of NOV dated June 23, 2004 is enclosed).

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has exceeded the MCL limit for coliform bacteria. As a result of the failure to perform public notification for the June 2004 MCL violation, a NOV, dated August 18, 2004, was sent to you (copy enclosed). The NOV requested that you issue public notification within 30 days of learning of the MCL violation and submit a copy to DES immediately. To date, no proof of public notice has been received by DES, thus placing the water system in violation of Env-Ws 351.01.

In view of the public notice violation, DES believes the deficiency can be corrected, and future violations prevented, by taking the following actions:

1. **By October 4, 2004**, carry out the public notice requirements for the June 2004 MCL violation listed above; and
2. **By October 11, 2004**, provide proof of public notice to DES.

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If you have already done the public notice, then please forward it to the address listed on the form immediately.

In the event compliance is not achieved within the above set forth time period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please continue to submit water samples according to the water system's Master Sampling Schedule enclosed.

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,



Rene Pelletier, P.G., Manager
Land Resource Programs

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Enclosures: MCL Notice of Violation dated June 23, 2004
P/N Notice of Violation dated August 18, 2004
Master Sampling Schedule
Bacteria MCL Public Notice Form

cc: Gretchen R. Hamel, DES Legal Unit Administrator
NH Dept. H&HS, Day Care Licensing
Town of Fremont Health Officer
Christian Kofer, Aqua Specialties, Primary Operator (w/enclosures)
EPA, Region 1